

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

JOHANN PINEDA,

Petitioner,

-against-

UNITED STATES OF AMERICA,

Respondent.

No. 16-CV-4806 (LAP)

No. 08-CR-351-2 (LAP)

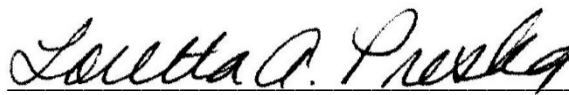
ORDER

LORETTA A. PRESKA, Senior United States District Judge:

Upon the Court's being informed that Mr. Pineda has been released from the custody of the Bureau of Prisons and subsequently deported, his motion challenging his sentence under 28 U.S.C. § 2255 [dkt. no. 1 in 16-CV-4806; dkt. no. 112 in 08-CR-351] is DISMISSED as moot. See, e.g., Davis v. United States, No. 03 Civ. 934 (SWK), 2004 WL 1488371, at \*3 (S.D.N.Y. July 1, 2004) ("Because [the petitioner] has been released from prison and subsequently deported, the Court can no longer provide him the primary relief sought in his habeas corpus petition. His challenges to his sentence are therefore moot, and must be dismissed.").

**SO ORDERED.**

Dated: December 17, 2020  
New York, New York



LORETTA A. PRESKA  
Senior United States District Judge